

ORIGINAL

Case 4:17-cr-00198-A Document 1 Filed 07/18/17

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

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JUL 18 2017

CLERK, U.S. DISTRICT COURT

By _____

Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:17-MJ-587

ANNA BERRY	(01)
JOEY KEMP	
a/k/a "Joey Two Times"	(02)
TYLER JAMES LEVERETT	
a/k/a "Ty-Ty"	(03)
KATHRYN WOODIN MARKLE	
a/k/a "Boxer"	(04)
JENNIFER MICHELLE WILLIAMS	(05)

CRIMINAL COMPLAINT

Conspiracy to Possess with Intent to Distribute a Controlled Substance
(Violation of 21 U.S.C. § 846)

Beginning in or before January 2014, and continuing until on or about April 28, 2017, in the Fort Worth Division of the Northern District of Texas, and elsewhere, defendants **Anna Berry**, **Joe Kemp**, also known as Joey Two Times, **Tyler James Leverett**, also known as Ty-Ty, **Kathryn Woodin Markle**, also known as Boxer, and **Jennifer Michelle Williams**, along with others known and unknown, did knowingly and intentionally combine, conspire, confederate, and agree to engage in conduct in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), namely to possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of Methamphetamine, a Schedule II controlled substance.

In violation of 21 U.S.C. § 846 (21 U.S.C. §§ 841(a)(1) and (b)(1)(B)).

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

I. INTRODUCTION

1. I have been a Special Agent of the DEA for approximately 18 years. I received basic investigative instruction at the DEA Academy located in Quantico, Virginia, and additional continuing instruction regarding investigative techniques. I am currently assigned to the Fort Worth Resident Office (FWRO) of the DEA, Dallas Field Division, working with Investigators and Officers from the Fort Worth Police Department.
2. I have participated as a law enforcement officer in several investigations of unlawful narcotics distribution and have conducted wiretap investigations, physical and electronic surveillances, undercover transactions, the execution of search and arrest warrants, debriefings of informants, and review of taped conversations and drug records. Through my training, education and experience, I have become familiar with the manner in which illegal drugs are transported, stored and distributed, and the methods of payments for such drugs. I am also familiar with some of the methods by which narcotics traffickers communicate and code words commonly used by narcotics traffickers.

II. SUMMARY OF PROBABLE CAUSE THAT A VIOLATION OF 21 U.S.C. § 846 HAS OCCURRED

3. As part of the conspiracy, not every person named or identified in the conspiracy knew every other person identified as being in the conspiracy. It was their joining together for the common purpose of possessing and distributing methamphetamine, the nature of the scheme to possess and distribute methamphetamine, and the overlapping among its members in possessing and distributing methamphetamine that established

their membership in this particular conspiracy. And not every member of the conspiracy knew the details of each aspect of the conspiracy. Nevertheless, each member of the conspiracy knew or was aware of the conspiracy's general purpose and scope, which was to possess and distribute methamphetamine in the Northern District of Texas and elsewhere between and among the named conspirators and others not named.

4. As part of the conspiracy, its members had a fluid hierarchy that evolved over time. For example, as some members were arrested or otherwise temporarily unavailable, other members took over the receipt and delivery of methamphetamine.

5. Since approximately 2014, the government has been investigating allegations that **Anna Berry, Joey Kemp**, also known as Joey Two Times, **Tyler James Leverett**, also known as Ty-Ty, **Kathryn Woodin Markle**, also known as Boxer and **Jennifer Michelle Williams**, along with Leslie Payne, Joey Sutton, Ben Bounds, Alisha Priest, not named as defendants herein, and others not named have conspired together to possess methamphetamine with the intent to distribute it in the Northern District of Texas and elsewhere.

6. As part of the conspiracy, **Anna Berry, Joey Kemp**, also known as Joey Two Times, **Tyler James Leverett**, also known as Ty-Ty, **Kathryn Woodin Markle**, also known as Boxer and **Jennifer Michelle Williams**, agreed to possess methamphetamine with the intent to distribute it, and knowingly and willfully participated in that agreement.

7. As part of the conspiracy, the common purpose between and among **Anna Berry**, **Joey Kemp**, also known as Joey Two Times, **Tyler James Leverett**, also known as Ty-Ty, **Kathryn Woodin Markle**, and **Jennifer Michelle Williams**, along with others was to possess and distribute methamphetamine in the Northern District of Texas and elsewhere.

8. As part of the conspiracy, in general, Leslie Payne, Joey Sutton, Ben Bounds, Alisha Priest, and others distributed or brokered methamphetamine transactions between and **Joseph Michael DUBOIS**, **Taylor Ashley EMMONS**, **Gregory Martin MANN**, **Eloy John SALAS**, and **James Jeffrey SWANK**, and others.

9. As part of the conspiracy, its members routinely received and delivered ounce and multi-ounce quantities of methamphetamine that they then distributed to others in the Northern District of Texas and elsewhere.

10. As part of the conspiracy, some of the money derived from the sale and distribution of methamphetamine would be used to purchase additional quantities of methamphetamine.

III. FACTS ESTABLISHING PROBABLE CAUSE THAT A VIOLATION OF 21 U.S.C. § 846 HAS OCCURRED

11. Below is a chronology of some relevant events:

- a. On May 1, 2014, **Joey KEMP** was interviewed by members of the Texas Department of Public Safety and Homeland Security Investigations at the Titus County Jail.
- b. On April 1, 2016, Agents/Officers with the Drug Enforcement Administration arrested Alicia Priest and seized her cell phone.

c. On May 27, 2016, Agents/Officers with the Carroll County Sheriff's Office arrested Megan Kemp on her outstanding Federal Arrest Warrant.

12. Co-conspirator Alisha Priest identified **Anna BERRY** as a distributor with whom she (Priest) had on at least one (1) occasion in approximately December 2015 negotiated a one (1) ounce methamphetamine deal. Additionally, during a review of messages extracted from a cell phone seized from Priest on April 1, 2016, Agents located numerous messages related to **BERRY** distributing methamphetamine to Priest. For example, in a message, dated March 23, 2016, Priest has an incoming message from **BERRY** that states "I NEED that money asap." Priest responds in a message that states "Ok well I have the same I had earlier but also have almost a qtr if you need that first." Affiant believes that **BERRY** had previously fronted Priest an unknown amount of methamphetamine and wants to collect the money. In the response, Affiant believes that Priest tells **BERRY** that she has the same amount of money she previously had and in addition Priest has one-quarter ounce of methamphetamine. Co-conspirator Leslie Payne confirmed that **BERRY** was involved in distributing methamphetamine. Specifically, Payne stated that she (Payne) had witnessed **BERRY** in possession of eight (8) ounce quantities of methamphetamine on four (4) occasions, four (4) ounces of methamphetamine on two (2) occasions, two (2) ounces of methamphetamine on five (5) to six (6) occasions, and one (1) ounce of methamphetamine on at least ten (10) occasions.

Payne stated that on four (4) to five (5) occasions, **BERRY** distributed four (4) ounces of methamphetamine to a customer (or customers) in Big Spring, Texas in 2012-2013. Additionally, Payne said that on approximately two (2) occasions, she (Payne) witnessed **BERRY** receive one-half (½) ounce quantities of methamphetamine from Brian Morrison.

13. Co-conspirator Leslie Payne identified **Joey KEMP** as a methamphetamine distributor whom she (Payne) had on two (2) occasions distributed ten (10) grams of methamphetamine to in 2015. Additionally, Payne stated that she (Payne) witnessed **KEMP** and Carly Benningfield obtain two (2) ounces of methamphetamine on one (1) occasion from an unknown methamphetamine source of supply in 2016. Co-conspirator Megan Kemp confirmed that **Joey KEMP** was involved in distributing methamphetamine. Specifically, Megan Kemp stated that prior to her arrest in May 2016, she (Megan Kemp) and **Joey KEMP** had been taking large quantities of methamphetamine to multiple customers in Arkansas. Specifically, Megan Kemp stated that she and **Joey KEMP** had taken one (1) kilogram of methamphetamine to the Carroll County, Arkansas area for the purpose of distributing it to their methamphetamine customers. During a post Miranda interview conducted on May 1, 2014 by members of the Texas Department of Public Safety (DPS) and Homeland Security (HSI), **Joey KEMP** admitted to being a member of the Aryan Brotherhood of Texas.

14. Co-conspirator Leslie Payne identified **Tyler James LEVERETT** as a methamphetamine distributor whom she (Payne) had obtained one (1) ounce of methamphetamine from on two (2) occasions. Additionally, Payne stated that she (Payne) witnessed **LEVERETT** in possession of eight (8) ounces of methamphetamine on four (4) occasions and four (4) ounces of methamphetamine on two (2) occasions. Co-conspirator Yvonne Hallien confirmed that **LEVERETT** was involved in distributing methamphetamine. Specifically, Hallien stated that she had obtained four (4) ounces of methamphetamine on two (2) occasions from **LEVERETT**, and that she had distributed four (4) ounces of methamphetamine on two (2) occasions to **LEVERETT**.

15. Co-conspirator Alisha Priest also identified **Kathryn Woodin MARKLE** as a methamphetamine distributor whom she (Priest) she had witnessed distribute an unknown quantity methamphetamine to one of his (**MARKLE**) customers on one (1) occasion. Priest stated that she had witnessed **MARKLE** in possession of two (2) ounces of methamphetamine on one (1) occasion and one (1) ounce of methamphetamine on at least four (4) occasions in 2015. Priest stated that on two (2) occasions she obtained four (4) ounces of methamphetamine from Laci Whisenant through **MARKLE**. Priest stated that on one (1) occasion she distributed one (1) ounce of methamphetamine to Laci Whisenant through **MARKLE**. Co-conspirator Donald Taylor confirmed that **MARKLE** was involved in distributing methamphetamine. Specifically, Taylor stated that he (Taylor) had witnessed Laci Whisenant distribute two (2) ounces of methamphetamine on ten (10) occasions to **MARKLE** in 2015 and 2016.

Taylor stated that he (Taylor) had also witnessed **MARKLE** in possession of a one-quarter ($\frac{1}{4}$) ounce of methamphetamine on four (4) occasions.

16. Co-conspirator Melissa Veatch identified **Jennifer Michelle WILLIAMS** as a methamphetamine distributor. Veatch stated that for approximately three months in 2015, she (Veatch) supplied **WILLIAMS** and Ben Bounds two (2) to four (4) ounce quantities of methamphetamine two (2) times per week. Additionally, Veatch stated that on a couple of occasions, **WILLIAMS** sent Ben Bounds to Veatch to pick up methamphetamine or drop off money on her (**WILLIAMS**) behalf. Co-conspirator Donald Taylor confirmed that **WILLIAMS** was involved in distributing methamphetamine. Specifically, Taylor stated that he had witnessed **WILLIAMS** in possession of four (4) ounces of methamphetamine on ten (10) occasions in 2015. Taylor stated that he had witnessed **WILLIAMS** and Ben Bounds in possession of four (4) ounces of methamphetamine on two (2) occasions in 2015.

17. Based on the foregoing, the Complainant believes that probable cause exists that **Anna Berry, Joey Kemp**, also known as Joey Two Times, **Tyler James Leverett**, also known as Ty-Ty, **Kathryn Woodin Markle**, also known as Boxer and **Jennifer Michelle Williams**, along with others both known and unknown, did knowingly and intentionally combine, conspire, confederate, and agree to engage in conduct in violation

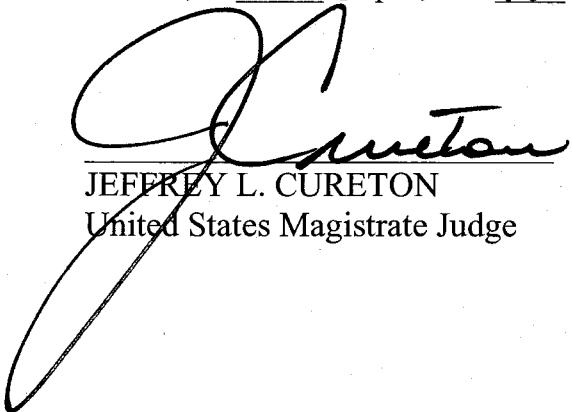
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of 21 U.S.C. §§ 841(a)(1) & (b)(1)(B), namely to distribute and to possess with intent to distribute more than 50 grams of methamphetamine, in violation of 21 U.S.C. § 846.



Brian Finney
Special Agent
Drug Enforcement Administration

SWORN AND SUBSCRIBED before me, at 9:03^{am}/pm, this 18th day of July 2017, in Fort Worth, Texas.



JEFFREY L. CURETON
United States Magistrate Judge